

04-01-2023
Subha
Item no.24
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 593 of 2021

Sri Sushanta Bhattacharya.
-versus-
Smt. Swapna Pandit Bhattacharya & Anr.

Re : An application under Section 407 of the Code of Criminal Procedure.

Mr. Apurba Kuamar Datta

...for the petitioner.

The petitioner has prayed for transfer of the proceedings from the court of the learned Judicial Magistrate, 1st Court, Alipurduar to the court of the learned Chief Judicial Magistrate, Murshidabad. The proceedings are under Section 125 of the Code of Criminal Procedure(M. R. Case No. 170 of 2018). More than four years have passed since the initiation of the case. The main foundation of praying for transfer is the physical disability of the present petitioner and his limited movement.

Having considered the time period which have passed in the meantime, I direct that the learned Judicial Magistrate will not insist on physical appearance of the present petitioner regularly before the court and allow him to be represented through his learned advocate in the day-day proceedings.

The petitioner would give an undertaking that he would make himself available on specific dates when the learned Magistrate would deem it fit for his physical appearance, for smooth progress of the

evidence of the case.

With the aforesaid observations, the revisional application being
CRR 593 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order
duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]